

1 AN ACT concerning municipalities.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 7-3-6 as follows:

6 (65 ILCS 5/7-3-6) (from Ch. 24, par. 7-3-6)

7 Sec. 7-3-6. The owner or owners of record of any area of
8 land consisting of one or more tracts, lying within the
9 corporate limits of any municipality may have such territory
10 disconnected which (1) contains 20 or more acres; (2) is
11 located on the border of the municipality; (3) if
12 disconnected, will not result in the isolation of any part of
13 the municipality from the remainder of the municipality, (4)
14 if disconnected, the growth prospects and plan and zoning
15 ordinances, if any, of such municipality will not be
16 unreasonably disrupted, (5) if disconnected, no substantial
17 disruption will result to existing municipal service
18 facilities, such as, but not limited to, sewer systems,
19 street lighting, water mains, garbage collection and fire
20 protection, (6) if disconnected the municipality will not be
21 unduly harmed through loss of tax revenue in the future. The
22 procedure for disconnection shall be as follows: The owner or
23 owners of record of any such area of land shall file a
24 petition in the circuit court of the county where the land is
25 situated, alleging facts in support of the disconnection. The
26 municipality from which disconnection is sought shall be made
27 a defendant, and it, or any taxpayer residing in that
28 municipality, may appear and defend against the petition. If
29 the court finds that the allegations of the petition are true
30 and that the area of land is entitled to disconnection it
31 shall order the specified land disconnected from the

1 designated municipality. If the circuit court finds that the
2 allegations contained in the petition are not true, the court
3 shall enter an order dismissing the petition.

4 An area of land, or any part thereof, disconnected under
5 the provisions of this section from a municipality which was
6 incorporated at least 2 years prior to the date of the filing
7 of such petition for disconnection shall not be subdivided
8 into lots and blocks within 1 year from the date of such
9 disconnecting. A plat of any such proposed subdivision shall
10 not be accepted for recording or registration within such one
11 year period, unless the land comprising such proposed
12 subdivision shall have been thereafter incorporated into a
13 municipality.

14 For 5 years after the entry of a final disconnection
15 order, an area of land that has been disconnected under the
16 provisions of this Section may not be annexed into any
17 municipality that has a population of less than 100,000
18 inhabitants other than the municipality from which it was
19 disconnected.

20 (Source: P.A. 83-1362.)